

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 302 – HB 362

March 19, 2013

SUMMARY OF ORIGINAL BILL: Requires local education agencies (LEAs) to continue to pay full compensation and benefits to teachers who are injured by physical assault or other violent criminal acts, less the amount of any temporary disability benefits, until the teacher is released by their physician to return to work; is determined to be permanently disabled in accordance with Title 50, Chapter 6, Part 2 of Tennessee Code Annotated; or is determined by their physician to be permanently disabled, whichever comes first

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$12,200

Increase Local Expenditures – Exceeds \$1,200*

SUMMARY OF AMENDMENT (004656): Deletes all language after the enacting clause. Requires local education agencies (LEAs) to continue to pay full benefits to teachers who are injured by physical assault or other violent criminal acts, until the teacher is released by their physician to return to work, or is determined by their physician to be permanently disabled, whichever comes first.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$3,200

Increase Local Expenditures - \$400*

Assumptions for the bill as amended:

- Benefits will be paid for injured teachers. Salary will not be paid.
- Based on information provided by the Department of Children's Services (DCS), DCS schools are considered to be an LEA for the purposes of this fiscal note.
- DCS estimates at least one teacher each year will be the victim of assault or another violent criminal act. According to DCS, payment of benefits for one teacher will be \$3,200 annually.

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- LEAs are required to pay a minimum of 45 percent of teacher health insurance premiums.
- The average payment for benefits will be different dependent upon the LEA and the benefits of the teacher.
- Based on information provided by the Department of Education, it is reasonably estimated that the average daily payment is \$18 for health insurance.
- Data on the number of violent assaults on teachers and how long each teacher is absent from work annually is not available; however, it is reasonably estimated that at least three incidents occur statewide and each teacher is out of work at least seven days.
- The recurring increase in local government expenditures is estimated to be \$378 [\$18 x 7 days) x 3].

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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